

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>RICHARD B. KELLY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL NO. 07-cv-594-WDS</b>
	)	
<b>DR. RAKESH CHANDRA, <i>et al.</i>,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM AND ORDER**

**STIEHL, District Judge:**

On October 21, 2008, this Court issued its Memorandum and Order directing Plaintiff to file an amended complaint indicating that the named Defendants were directly responsible for and deliberately indifferent to Plaintiff's conditions of confinement and his need for medical treatment. *See* (Doc. 7). Plaintiff was warned that if he failed to file an amended complaint within the allotted time, then his complaint would be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.<sup>1</sup> More than thirty days have passed and the Court has not received Plaintiff's amended complaint.

Accordingly, this case is **DISMISSED**, with prejudice, for failing to state a claim upon which relief may be granted, 28 U.S.C. § 1915A, and for failing to comply with an order of this Court, Rule

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<sup>1</sup>In the prior order, the Court determined that the complaint should be dismissed pursuant to 28 U.S.C. § 1915A. Before dismissing the complaint, however, the Court granted Plaintiff the opportunity to amend it.

41(b) of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

**DATED: December 1, 2008.**

**s/ WILLIAM D. STIEHL**  
**DISTRICT JUDGE**